

District III Advisory Board Minutes
Feb. 10, 2010
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The District III Advisory Board meeting was held at 7 p.m. at the Wichita Water Center at 101 E Pawnee. Seven District Advisory Board members were in attendance; 11 City staff and five members of the public were present.

Members Present

Teresa Cook
Jim Gulick
Charlotte Foster
John Kemp
DeWayne Kitchen
Brian Nelson
Roger Smith
Council Member Jim Skelton

Members Absent

Judy Dillard
Joann Hartig
Billie Tucker
Bill Ward

Staff Present

Officer Vickie Kern, Patrol South
Officer Justin Whyte, Patrol East
Lt. Scott Heimerman, Patrol South
Capt. Troy Livingston, Patrol South
Janet Johnson, Neighborhood Services
Battalion Chief Rich Harris, WFD
Capt. Mark Hahn, WFD
Justin Combs, Park Department
William Christian, MAPD
Christine Sondej, MAPD
Dennis McHugh, IT/IS

Guests

Listed on the last page

ORDER OF BUSINESS

At 7 p.m. **Council Member Skelton** called the meeting to order. The meeting minutes from Jan. 6, 2010, were approved **7-0**.

PUBLIC AGENDA

Scheduled items

No items

Non-Scheduled items

No items

STAFF REPORTS

Community Police Report

Officer Justin Whyte, 34 Beat Patrol East, reported a number of bar break-ins where the suspects are breaking into coin-operated devices. So far there have been 22 bar break-ins. WPD is running some special assignments in an attempt to catch the thieves. **Office Whyte** announced there will be a Wichita Walk Against Gang Violence at 10:30 a.m. on April 3, beginning at North High School.

Officer Vickie Kern, 29 Beat Patrol South, reported things have been pretty quiet on the 29 Beat. She said the 23 and 26 beats are still having burglary issues, but arrests have been made.

Capt. Troy Livingston, Patrol South, introduced himself as the new Captain for the Patrol South Bureau. He said he will be attending Neighborhood Association meetings and meeting with Council Member Skelton in the near future. Capt. Livingston's prior assignment was the Lt. over the Sex Crimes and DV unit. He also has extensive experience in Community Policing and said he wants to balance the needs of downtown with those of the neighborhoods.

Wichita Fire Department Report

Battalion Chief Rich Harris reported there were two accidental and one undetermined fire in District III last month. He also reported the WFD is changing how they use their trucks and it will be very beneficial to firefighters. The equipment and staff are called “truckies” and just went online. **Harris** said the core of the city continues to be the hot spot for fires. **Council Member Skelton** asked about the number of calls Station 22 is responding to. **Harris** said Station 22 is one of the two busiest stations in the entire city. Chief Harris told the DAB members that the fire department very much likes the point to point system and would appreciate the support of the DAB on that project.

Other

Council Member Skelton recognized Roger Smith from the East Mt. Vernon Neighborhood Association as the newest member of the DAB.

Action: Receive and file.

NEW BUSINESS

Changes/Revisions to City Ordinance 9.08 Regarding Trees and Shrubs

Justin Combs, Park and Recreation, presented proposed ordinance changes to Chapter 9.08 regarding trees and shrubs.

The ordinances recognize that the City has the responsibility to maintain trees in the public right of way. The amendments set forth the procedures to be utilized by City staff to remove infested trees from private property, and also recognizes that the Park and Recreation Department, as opposed to the Park Board, is responsible for the maintenance, pruning and removal of trees in the public right of way. The amendment would allow City staff on private property to address nuisances.

The amendments also increase the penalty from \$250 to \$1,000 and up to six months in jail. The increased penalty would allow an offender to be placed on probation and restitution ordered in the case where trees in the right of way were damaged or pruned without the permission of the Park and Recreation Department.

Jim Gulick wanted to know under what circumstances City staff would be allowed to access private property. **Combs** said the Emerald Ash Boar would be a good example – once it hits Wichita, it could potentially destroy every Ash tree in the city. If detected as present on a private property, City staff could go on site and treat it. **Gulick** wanted to know at whose cost; **Combs** said at the cost of the property owner.

DeWayne Kitchen wanted to know if the City was going to inspect every single Ash tree in Wichita. He went on to say he felt frustrated because when there's a problem with a tree on City right of way, the City says it's the property owner's tree/problem, but if the property owner wants to do something to the tree, then all of the sudden it's the City's tree. **Combs** said if the trunk is in the City right of way, then it's the City's tree.

Brian Nelson wanted to know how the City prices are set for forestry services it provides, and what would one have to do to a tree in order to be fined \$1,000 and six months in jail. **Combs** said the cost is passed on a basic hourly rate for employees -- \$15 to \$20 per hour. He explained the increased fines are there to discourage professional tree trimmers from cutting down City trees and simply including the cost of the current City fine (\$250) in what they are charging the property owner.

Charlotte Foster wanted to know about the enforcement of all the dead pine trees. **Combs** said if they are on City property, the City will remove them. If they are on private property and are deemed dangerous, OCI can take action against the property owner to get them removed. **Combs** said we could see a similar plague among Walnut trees with Thousand Cankers disease that is currently causing Walnut tree mortality in the Western United States.

Roger Smith asked if there are any proactive measures citizens can take regarding the Emerald Ash Boar. **Combs** said if citizens think they may have the boar, they can contact the forestry department at 268-4361 and staff will come out and check the tree. He also said we are fortunate to have a State forester stationed in Haysville, and he will also respond to these types of calls/inquiries.

John Kemp asked why his neighborhood can't get trees trimmed around the street lights. **Combs** said his staff will gladly do that and encouraged **Kemp** to call in with the locations.

Jim Gulick wanted to know how the changes work with Westar; **Combs** said by State statute, Westar has the right to "reasonable clearance." **Gulick** said four years ago Westar's contractor took out two trees in his yard, leaving two stumps and told him the City would be out to remove the stumps and re-plant trees. **Combs** apologized and said the contractor is not very good about following up and providing the City with the "stump lists."

Dave Robbins, 920 Silverdale Ct, said his neighbor had a dead Elm tree that during a storm blew over onto his house. He said because it was considered "an act of God" the neighbor's insurance didn't apply to this situation and so Dave had to use his insurance with a \$1,000 deductible. **Combs** said via these ordinance changes, they are trying to prevent situations like this one.

John Kemp said there is a tree on City right of way that was probably planted 20 years ago and its roots are tearing up the sidewalk. **Combs** said the way the ordinance is written, the homeowner is responsible.

Matt Goolsby, 2109 W. Haskell, said DAB 1 deferred this item and that he and John Stevens, members of the Park Board, have some ideas on how to improve the ordinance amendments; he said DAB 4 voted against it. **Combs** said based on the feedback they have received from the various DABS, they have decided to re-work the ordinance changes and then bring them back to the DABs.

Jim Gulick (Kemp) moved to defer the item until the Park Department comes back with a revision.

Action: Motion passed 7-0.

Andy Solter, Park Board Representative for District III, announced the Chapin dog park is now open and there will be a grand opening held in the spring. He said the Park Board has selected the name Peach Tree Park for the park at 55th and Hydraulic and it will soon be going to City Council for approval. Watson Park has a new train depot and pony barn and the work there should be completed by Easter. He also asked that if citizens have ideas/locations on where to put pocket parks, to please let him or the Park Board know.

Metropolitan Transportation Plan

Bill Christian and Christine Sondej, Wichita Area Metropolitan Planning Organization (WAMPO), presented on the progress of the Metropolitan Transportation Plan.

The MTP is an update of the current regional Long Range Transportation Plan (LRTP) 2030, which expires in August of 2010. The MTP 2035 will enable local agencies to use federal funding for transportation projects. Without this plan, regionally, we will lose out on millions of federal dollars that could be used to improve the efficiency, safety, and operations of our transportation system.

Christian asked citizens to visit the MAPD webpage on the City's website and complete the survey.

Charlotte Foster asked if Amtrak passenger service is a part of the plan. **Christian** said passenger rail service is addressed in the plan, but the City would not be the driving force on that issue; that would be up to the Northern Flyer Alliance.

Action: Receive and file

Wichita Point to Point network

Dennis McHugh, IT/IS, will give a presentation on this project. Based on the requirement for a cost effective and rigid structural telecommunication amenity, recommend to the City Council and MAPC, the approval for installation of a lattice style facility for the Point-to-Point Network Project.

With the advent of two complex Intelligent Transportation System (ITS) projects, the IT/IS department was tasked with finding a solution to provide a transfer path for the data generated by each. At the same time, due to many instances of slow and problematic transfer rates of data with the current leased buried cable network structure, the IT/IS Department was searching for a solution for possible replacement of the leased service.

After careful research, it was determined that the most viable and economical approach would be to replace the current leased network with a Point-to-Point (P2P) broadband telecommunications system. A distinct advantage of utilizing an antenna based technology is that it will provide a means for transferring large amounts of data from a fixed location over long distances.

The circuits are generally slow and restrict the ability of performance in existing and new programs including:

- Transit Services –ITS Project, Higher Speed Data Management;
- Traffic Signals –562 Signal Locations;
- Police Department –Higher Speed Data Management;
- Fire Department -Higher Speed Data Management / Video Teleconferencing;
- Water & Sewer –Physical / Camera Security, Higher Speed Data Management
- Park & Recreation, Public Works –Physical and Camera Security

The tower in District III will be located near 31st and I-135. The property is zoned as Limited Industrial District which means:

- Facility allowable up to 150 feet in height
- Have completed Administrative Zoning Permit from Planning Department
- Have completed Federal Aviation Administration certification
- Have completed Federal Communication Commission certification
- Have completed National Environmental Policy Act certification

McHugh said based on the annual expenditure of \$78,000 for leasing network lines from private providers, the return on local City money invested in the Point-to-Point Network should be approximately 4.25 years. There is also a provision where the top 10 feet of the tower could be leased to a private provider. **Council Member Skelton** wanted to know what the return on that is. **McHugh** said typically about \$1,500 a month.

Charlotte Foster asked how many towers were being proposed city-wide; **McHugh** said six.

DeWayne Kitchen (Cook) made a motion to accept the staff recommendation and recommend to the City Council and MAPC, the approval for installation of a lattice style facility for the Point-to-Point Network Project.

Motion passed 7-0.

BOARD BUSINESS

Charlotte Foster brought up the shortfall being experienced in the downtown TIF area that was featured in the Wichita Eagle.

Roger Smith reported that Booth School located near Mt. Vernon and Drolinger is up for sale and a small church is considering purchasing it. **Smith** said they would have a food pantry once a month and a day care; he said the neighborhood is supportive of this.

Brian Nelson reported they had a neighborhood cleanup and three-quarters of the trash they picked up was the flyers that the Wichita Eagle throws. There was extensive discussion on this issue with multiple neighborhoods expressing frustration over the situation. **Council Member Skelton** said he would look into the matter to see what could be done.

Teresa Cook asked about the status of the railroad corridor; **CM Skelton** said the consolidation study is underway. She also wanted to know the status of the Southeast Community Resource Center; **CM Skelton** said he is serving on a committee that has an architect working on a possible design. She also asked about the status of the Child Advocacy Center; **CM Skelton** said the City is going to contribute some funding to sustain it this year.

Paul Davis announced the South Wichita Business Association has been meeting regularly and that effort is going well. He said they meet every other Friday at Emprise Bank and invited any interested parties to attend.

Jim Gulick announced the City Manager will be speaking at the Grandview Heights Neighborhood Assoc. meeting on the 16th.

Meeting was adjourned.

The next meeting for District Advisory Board III will be held at 7 p.m., March 3, 2010, at the Water Center at 101 E. Pawnee.

Respectfully submitted,

Janet Johnson, Neighborhood Assistant – District III

Guests

Paul Davis
Trisha Epps
David Robbins
Matt Goolsby
Andy Solter